

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ANDREW H. MADOFF, individually and as
Executor of the Estate of Mark D. Madoff,
ESTATE OF MARK D. MADOFF, and
STEPHANIE S. MACK,

Defendants.

Adv. Pro. No. 09-1503 (SMB)

**STIPULATION AND ORDER SETTING BRIEFING SCHEDULE
AND ADJOURNING PRE-TRIAL CONFERENCE AND HEARING**

WHEREAS, on July 15, 2014, Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* and the substantively consolidated estate of Bernard L. Madoff individually, filed a Notice of Motion for Entry of Order Under Rule 15 of the Federal Rules of Civil Procedure, as incorporated by Rule 7105 of the Federal Rules of

Bankruptcy Procedure, Granting Trustee's Motion for Leave to File a Third Amended Complaint (the "Motion for Leave to Amend"); and

WHEREAS, on August 12, 2014, Defendants Estate of Mark D. Madoff and Andrew H. Madoff, individually and as Executor of the Estate of Mark D. Madoff, filed a Memorandum of Law in Opposition to the Trustee's Motion for Leave to File a Third Amended Complaint (the "Opposition"); and

WHEREAS, by Stipulation and Order entered on August 18, 2014, this Court set an amended briefing schedule on the Motion for Leave to Amend, adjourned the hearing on the Motion before the Court from August 19, 2014 to November 19, 2014 at 10:00 a.m., and adjourned the pre-trial conference from September 17, 2014 to November 19, 2014;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, as follows:

1. The Trustee shall have until January 16, 2015 to file a reply to the Opposition of not more than twenty-five (25) pages (the "Reply").
2. Defendants Estate of Mark D. Madoff and Andrew H. Madoff, individually and as Executor of the Estate of Mark D. Madoff, shall have until February 6, 2015 to file a sur-reply to the Reply of not more than ten (10) pages.
3. The hearing before this Court on the Motion for Leave to Amend, which was previously scheduled to be held on November 19, 2014, is adjourned to February 25, 2015, at 10:00 a.m.
4. The pre-trial conference, which was previously scheduled to be held on November 19, 2014, is adjourned to February 25, 2015, at 10:00 a.m., or otherwise shall proceed in accordance with applicable court rules.
5. Nothing in this stipulation is a waiver of the parties' right to stipulate to further

extensions. Nor is anything in this stipulation a waiver of any party's right to request from the presiding Court a further extension, or of any other party's right to object to any such request.

Dated: October 6, 2014
New York, New York

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Bernard L. Madoff*

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*Attorneys for Defendants Andrew H. Madoff and the
Estate of Mark D. Madoff*

SO ORDERED:

Dated: October 6th, 2014
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE